

**NOTICE OF ADMINISTRATIVE DECISION and  
MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)**

**The City of Bainbridge Island has made a decision concerning the following land use application:**

**Date of Issuance:** August 15, 2013

**Project Name:** Winslow Wharf Marina SSDE

**File Number:** SSDE13277D

**Applicant:** City of Bainbridge Island

**Description of Proposal:** Complete replacement of floating concrete moorage system (230 open slips). Modifications will result in a net reduction in over-water coverage by approximately 1304 square feet. Ninety-three (93) creosote timber piles for the moorage system and two (2) fixed pier support piles will be replaced with steel piling. Install an additional seven (7) piles for moorage system and 4 piling for the fixed pier extension to support ADA compliant gangway. The total number of piles will be 104. Replace existing utility system.

**Location of Proposal:** 141 Parfitt Way Bainbridge Island, WA. Eagle Harbor

**Permit Decision:** The application is **conditionally approved**. The staff report, containing the statement of facts upon which the decision, including conditions, is based and the conclusions of law derived from those facts, is available to the public upon request. The decision becomes effective 14 days after the date of issuance, August 29, 2013.

**SEPA Determination:** The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination was made after review of a completed environmental checklist, biological evaluation and other information on file with the lead agency. This information is available to the public upon request.

**Responsible Official**

Katherine Cook, Director

**Address:**

Department of Planning & Community Development  
City of Bainbridge Island  
280 Madison Avenue North  
Bainbridge Island, WA 98110 (206) 842 - 2552

Signature: Katherine Cook Date: 08-15-13

**Appeal Procedure:**

This administrative decision and/or SEPA determination may be appealed by filing a written appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.130 and/or 16.04.170. An appeal must be filed **no later than 4:00 p.m., August 29 2013**. You should be prepared to make specific factual objections.

If you have any questions concerning this application, please contact:

Ryan Ericson, Associate Planner

Department of Planning and Community Development

280 Madison Avenue North

Bainbridge Island, WA 98110

Fax: (206) 780-0955

(206) 780-3719

Email: [pcd@ci.bainbridge-island.wa.us](mailto:pcd@ci.bainbridge-island.wa.us)**SEPA CONDITIONS of Approval for Winslow Wharf Marina SSDE:**

1. An approved stormwater pollution prevention plan (SWPPP), including erosion and sediment control, shall be submitted with building permit application. The SWPPP shall address daily inspections of equipment/machinery for leaks, process for completion of necessary repairs, location of offsite refueling and lubrication area, and include contractor responsibility to have emergency spill-containment supplies on hand.
2. The contractor prior to any clearing grading or trenching activities shall implement the approved erosion and sedimentation control plan in accordance with the SWPPP.
3. To protect juvenile Chinook salmon utilizing nearshore areas, work waterward of the ordinary high water line shall not be permitted from March 15 through June 14.
4. Work shall be completed in accordance with the approved plan and elevation drawings received April 9, 2013 (Attachment D), except to comply with these conditions. Specifically, replace the moorage system substantially within the original footprint.
5. The applicant shall ensure their hired consultant and/or contractor satisfies all of the following as recommended in the Biological Evaluation (Attachment E & F)::

- a. Underwater noise monitoring shall be conducted in accordance with Attachment A in the Winslow Wharf Marina Biological Evaluation (Attachment E) and November 5, 2012 Biological Evaluation Addendum (Attachment F).
  - b. Biological monitors shall be present during piling installation to observe for orcas and stellar sea lions as outlined on page 3 of Attachment A in the Winslow Wharf Marina Biological Evaluation (Attachment E). Work shall stop when species are identified within the project area.
  - c. Implement objectives, except references to Marbled Murrelets, on page 1 of Attachment A Protocol to Monitor Underwater Noise Levels, and to Monitor for Marble Murrelet and Marine Mammal Presence During Pile Driving in the Winslow Wharf Marina Biological Evaluation and Biological Addendum (Attachment E&F)..
  - d. Remove debris and piles in a manner which minimizes disturbing adjacent intertidal substrate and belands areas. Piles shall be extracted vertically in a controlled continuous manner. Immediately lift pile onto staging barge or upland area to minimize sediment falling off of pile.
  - e. Provide secondary containment at the temporary staging areas for extracted piles to prevent release of sediment, water, debris, and potential wood treatment leachate into the water.
  - f. Use skirting or containment booms during piling removal to isolate piles. Use absorbent pads to control areas of visible sheen.
  - g. Except for anchors, work vessels shall not be allowed to contact the intertidal bottom or shoreline bank. Anchor chains are not allowed to contact the bottom.
  - h. When feasible, propellers from construction support vessels will be directed away from the bottom and operated within the marina basin in water 9 feet or greater. Vessels used to maneuver work barges shall be operated in a manner to minimize impact to intertidal sediments and bedlands.
  - i. Immediately remove floating materials from pile removal and overwater structure demolition.
  - j. When an impact hammer is in operation, a bubble screen and sound damping device shall be used.
6. All new flotation shall be encapsulated in polystyrene shell in accordance with the specifications submitted with the application or similar.
  7. Install grating with minimum 60% open area on floats. Floats with widths  $\geq 5$  feet, the coverage shall be 50% and the coverage shall be 30% for floats with widths  $< 5$  feet. The wave attenuation pier end floats do not require grating.
  8. All floats which have the potential to ground at low tides shall employ float stops such that there is a minimum of 1 foot vertical clearance from intertidal substrate.
  9. Piling installation and removal shall be prohibited between the hours of 7:00 pm and 9:00 a.m.

10. Lighting shall be limited to the minimum necessary for safety or as required by the Coast Guard. Install directed low profile lighting to provide safe navigation in and around marina.
11. The floats being removed and/or replaced shall be properly disposed of at an upland site. Evidence of proper disposal shall be presented to the City prior to final inspection of the dock.

**NON-SEPA CONDITIONS of Approval for Winslow Wharf Marina SSDE:**

12. Prior to any construction, a building permit shall be obtained from the Department of Planning and Community Development
13. The applicant shall notify the City at least 24 hours before work is to begin and describe the duration of the work period.
14. A copy of all public agency approvals and approved drawings shall be given to all contractors performing work at the site prior to beginning any construction work.
15. Construction related activities, with the exception of pile driving, shall occur during normal hours as permitted under Chapter 16.16 of the Bainbridge Island Municipal Code, specifically prohibited between 7:00 pm and 7:00 am. Piling driving operations hours are specified in Condition 9.
16. Activities to be undertaken as part of this permit may require approvals or permits from the Washington Department of Fish and Wildlife, the Army Corps of Engineers, and/or a Department of Natural Resource lease or permission from the City of Bainbridge Island or Kitsap County as tideland owner. Evidence of required approvals or permission shall be submitted to the City prior to the commencement of any construction activities.
17. In order to satisfy the request of the Bainbridge Island Fire Marshall the applicant shall meet the all of the following:
  - a. Project shall comply with all applicable provisions of the adopted Fire Code
  - b. The project shall be equipped throughout with Class I manual, dry standpipe systems in accordance with NFPA 303. Systems shall be provided with outlets located such that no point on the marina pier or float system exceeds 150 from standpipe outlet.
  - c. Standpipe hose connection locations shall be clearly identified by a flag or other approved means designed to be readily visible from the pier accessing the float system.
  - d. One portable 4A 40BC fire extinguisher shall be provided at each standpipe hose connection.
  - e. Space shall be provided on all float systems for the staging of emergency equipment. Emergency operation staffing areas shall provide a minimum of 4 feet wide by 10 feet long clear area exclusive of walkways and shall be located at each standpipe hose connection. Emergency operation staging areas shall be provided with a curb or barrier having a minimum height of 4 inches and maximum space

between the bottom edge and the surface of the staging area of 2 inches on the outboard sides of the staging area. An approved sign reading FIRE EQUIPMENT STAGING AREA – KEEP CLEAR shall be provided at each staging area

- f. A telephone not requiring a coin to operate or other approved, clearly identified means to notify the fire department shall be provided on the site in a location approved by the fire code official.
- g. All fire main piping to be tested according to NFPA 303 and NFPA 14 prior to acceptance.